



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, Washington 98101

ID 9518
12/10/01
17a

FMC

December 10, 2001

Reply To
Attn Of: WCM-121

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Rob Hartman
Environmental Manager
FMC Corporation Pocatello Plant
Highway 30 West
P.O. Box 4111
Pocatello, Idaho 83202

FILE COPY

RE: *United States of America v. FMC Corporation*
Extension for RCRA Closure of Pond 18

Dear Mr. Hartman:

As we discussed on November 30, 2001, the United States Environmental Protection Agency (EPA) requests an extension to the deadline for approval of closure of Pond 18 Cell. Pursuant to the *United States of America v. FMC Corporation* Consent Decree lodged in U. S. District Court on October 16, 1998 (the Consent Decree) as modified on December 4, 2001, FMC is required to complete placement of the initial fill and temporary cover on Pond 18 Cell A during the first construction season following the year in which EPA approves, by December 15, this component of the closure plan.

As you are aware EPA submitted a notice of deficiency to FMC on November 8, 2001 allowing FMC 30 days for submittal of a response. To enable EPA to evaluate adequately FMC's response, evaluate comments the Tribes submitted on November 27, 2001, respond to numerous public comments and for FMC to initiate closure in 2002, EPA is requesting that the December 15th date be extended to January 2, 2002. Please respond in writing to this request by Thursday December 13, 2001. If you have any questions, please contact me at (206) 553-6636.

Sincerely,

Linda Meyer,
RCRA Site Manager
RCRA Permits Team

FILED

cc: Susan Hanson, CERCLA/RCRA Program, Shoshone-Bannock Tribes
Blaine Edmo, Chairman Fort Hall Business Council

bcc: Andy Boyd, ORC
 Sylvia Burges, RCRA Compliance
 Gil Haselberger

**Pond 18 Closure Approval Extension
 CONCURRENCES:**

| | | | | | | | |
|----------|-----------------|------|--|--|----------------------|-----------------------------|----------|
| INITIALS | <i>hm</i> | | | | POLICY | PRICER IS INFO SUBMITTED | |
| NAME | Meyer | Boyd | | | YES | NO | YES NO X |
| DATE | <i>12/10/07</i> | | | | IF YES, BCC ATTACHED | | |

PEER REVIEW:

| | | | | | |
|----------|---------|--------|-------|--------|--------|
| INITIALS | | | | | |
| NAME | Palumbo | Fisher | Brown | Orlean | Hedeen |
| DATE | | | | | |

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

| | | |
|---|----|------------------|
| Postage | \$ | Postmark Here |
| Certified Fee | | |
| Return Receipt Fee (Endorsement Required) | | |
| Restricted Delivery Fee (Endorsement Required) | | |
| Total Postage & Fees | \$ | |

83202

Sent To
 Rob Hartman, Env. Mgr.
 Street, Apt. No.
 or PO Box No.
 EMC Corp. - Pocatello Plant
 City, State, ZIP+4
 Hwy 30W PO Box 4111 Pocatello, ID

PS Form 3800, January 2001 See Reverse for Instructions

7001 0360 0003 5039 2616

bcc: Andy Boyd, ORC
Sylvia Burges, RCRA Compliance
Gil Haselberger

**Pond 18 Closure Approval Extension
CONCURRENCES:**

| INITIALS | | | | | POLICY | PREVIOUS INFO SUBMITTED |
|----------|-------|------|--|--|----------------------|----------------------------|
| NAME | Meyer | Boyd | | | YES | NO |
| DATE | | | | | IF YES, BCC ATTACHED | |

PEER REVIEW:

| | | | | | | |
|----------|---------|--------|----------|--------|--------|--|
| INITIALS | | | | | | |
| NAME | Palumbo | Fisher | Brown | Orlean | Hedeen | |
| DATE | | | 12-10-01 | | | |

| SENDER: COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY |
|--|---|
| <ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. | <p>A. Received by (Please Print Clearly) <i>Larry Hosen</i> B. Date of Delivery <i>12-17</i></p> <p>C. Signature <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p> |
| <p>1. Article Addressed to:</p> <p>Mr. Rob Hartman Environmental Manager FMG Corp - Pocatello Plant Highway 30 West PO Box 4111 Pocatello, ID 83202</p> | <p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> |
| <p>2. Article Number (Copy from service label)</p> <p><i>7001 0360 0603 5039 2616</i></p> | <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> |

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789